

DD/S 71-4019

MEMORANDUM FOR: Legislative Counsel

SUBJECT : Proposed Amendment by Mr. Udall to H. R. 11150

1. Our basic position that we should push as hard as we can for a full exemption to H. R. 11150, of course, remains unchanged.
2. If we have no alternative but to accept some form of reporting requirement we would like to see it reduced to the absolute minimum of detail. We are concerned that the amendment as proposed would cause us to report information which could be highly classified and, in fact, could conflict with the Director's responsibility to protect intelligence sources and methods. We are additionally concerned that reports which might be submitted lacking in the detail desired by members of Congress could lead to additional probing and requests for more information which we would find it difficult if not impossible to decline.
3. The requirement to rejustify the exemption annually seems effectively to nullify the intent of granting the exemption in the first place. Our basis for requesting the exemption go to the fundamental premise of operating an intelligence organization and are not subject to change from one year to the next.
4. On the assumption that some form of amendment will be offered there is attached a layman's effort at suggesting a simplified version.



V Deputy Director  
for Support

25X1

Att.

On page 18, immediately following line 5, add the following:

"(3) Each agency exempted under section 7173(b) of this title shall submit, not later than March 31 of each year, to the President for transmittal to the Congress, a report covering the immediately preceding calendar year, which shall include the numbers of complaints filed with the agency by employees or applicants concerning matters involving the protection of personal and individual rights, entitlements, and benefits as covered in section 7173(a).

"(4) Each agency exempted under section 7173(b)(4) shall, in addition to the report required in (3) submit at the same time an explanation of the justification for the continuation of the exemption of such agency.

AMENDMENT BY MR. UDALL TO H. R. 11150

On page 18, immediately following line 5, add the following:

"(3) Each agency exempted under section 7173(b) of this title shall submit, not later than March 31 of each year, to the President for transmittal to the Congress, a report on its activities during the immediately preceding calendar year concerning matters involving the protection of personal and individual rights, entitlements, and benefits of employees of, and applicants for employment in, such agency, including --

*add  
new  
line 5*

"(A) information on any activity that is prohibited under section 7173(a) of this title for agencies under such section and the types and kinds of complaints filed with the agency involving such activities;

"(B) the determinations, orders, and actions of the agency with respect to those complaints;

*apply only  
to sec. (4)  
of 7173(b)*

"(C) an explanation of the justification for the continuation of the exemption of such agency under section 7173(b) of this title; and

"(D) such other matters as the agency considers relevant and appropriate to provide full and complete information with respect to the operation and administration of the rights of employees of, and applicants for employment in, the agency.